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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 10018215-1	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR		Application Number 09/917,377	Filed 07/28/2001
on 04/12/2007		First Named Inventor Michael S. Allison, et al.	
Signature 		Art Unit 2166	Examiner Khanh B. Pham
Typed or printed name Jamie Cameron			
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Typed or printed name Kyle J. Way	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 46,549		(720) 562-2280 Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34 Registration number 4 acting under 37 CFR 1.34		04/12/2007 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*			
<input checked="" type="checkbox"/> *Total of 1 forms are submitted			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael S. Allison et al.

Confirmation No.: 9960

Application No.: 09/917,377

Group No.: 2166

Filed: 07-28-2001

Examiner: Khanh B. Pham

For: METHOD FOR PROCESSING EVENTS FROM ELECTRONIC ARCHITECTURE

Mailstop: AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Introductory Comments

In response to the advisory action dated March 29, 2007 (hereinafter “the advisory action”), the Assignee requests review of the final rejection in the above-identified application. No amendments are being filed with this request. A Notice of Appeal under 37 C.F.R. § 41.31(a)(1) is being filed herewith.

Claims 1-7 and 9-20 stand rejected and remain pending in the application. Claim 8 was canceled in a previous response. Claims 1-4, 6, 7, 9 and 16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,598,179 to Chirashnya et al. (hereinafter “Chirashnya”). (Page 2 of the final Office action dated January 12, 2007, hereinafter “the final Office action.”) Claims 5 and 10-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chirashnya in view of U.S. Patent No. 6,269,398 to Leong et al. (hereinafter “Leong”). (Page 5 of the final Office action.) Also, claims 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chirashnya in view of U.S. Patent No. 6,754,704 to Prorock (hereinafter “Prorock”). (Page 8 of the final Office action.) The Assignee respectfully disagrees, and believes such allegations represents clear error in establishing a *prima facie* rejection under 35 U.S.C. §§ 102 and 103. The Assignee thus respectfully requests review of the rejection for at least the following reasons.

Remarks

Claims 1 and 18

Independent method claim 1 is reproduced below for convenience, with emphasis supplied:

1. A method for processing events from electronic architecture, the architecture having a plurality of entities generating the events, comprising the steps of:
extracting the events from the architecture;
separating the events according to the entities;
transforming the events to one or more text strings; and
analyzing the one or more text strings to produce a human interpretable statement summarizing at least one of the events associated with the one or more text strings.

Independent system claim 18 incorporates similar provisions.

Generally, Chirashnya discloses an error log analyzer (ELA) which “scans error logs generated by a computer system.” (Column 2, lines 6-8.) The ELA processes the error log data in three stages: (1) a selection stage (selecting errors which are “of relevance to fault conditions of interest”); (2) a filtering stage (filtering and combining the errors into events known to be associated with particular fault conditions); and (3) an analysis stage (checking the events to decide whether a fault exists that requires service attention). (Column 2, lines 15-29.)

With respect to claims 1 and 18, the final Office action indicates that Chirashnya teaches analyzing the text strings and producing a human interpretable statement summarizing at least one of the events associated with the one or more text strings at column 11, line 57, to column 12, line 20. (Pages 3 and 9 of the final Office action.) More specifically, the final Office action states “that at least the ‘result number’ is [a] text string. For example, Table IV at Col. 12 shows the result number is text strings ‘R1’ and ‘R2’.” (Page 11 of the final Office action. See also the continuation sheet of the advisory action.) The Assignee respectfully disagrees, as such an interpretation of Table IV directly contradicts the remaining disclosure of Chirashnya.

Chirashnya discloses a Results Table 42 (shown in Fig. 1), wherein each line of the table holds a *result number*, a corresponding *message number*, and a *Boolean indicator* as to whether a field-replaceable unit (FRU) should be reported. (See Table IV at column 12, lines 5-15.) A separate message catalog holds the messages to be provided to the user, wherein each message is

associated with one or more of the result numbers of the Results Table. (See the “Catalog File Examples” at column 12, lines 17-19.) In other words, *numbers and Boolean values* are used as input to present the messages to the user.

Further, Chirashnya indicates specifically with respect to Table IV that the first column is “the *entry number* (i.e., the corresponding *Result_Num*)...” (Column 11, lines 64 and 65; emphasis supplied.) Also, “[t]he *Result_Num* value is the *number* of the corresponding entry in results table 42....” (Column 11, lines 39-41; emphasis supplied.) Chirashnya further discloses pseudocode equating the variable “Result” with “Result_Num.” (See “Result = Result_Num” several times within Table III, found at column 10, line 37.) In addition, the specific examples listed beginning at column 10, line 53, all show the Result variable representing an *integer, not a text string*. (See “Result = 1” at column 10, line 54, “Result = 3” at column 10, line 59, “Result = 5” at column 11, line 2, and “Result = 1” at column 11, line 3.) Since Result is an integer, and Result is equated with a Result Number, the Result Number must also be an integer, *not* a text string; otherwise, a data-type conflict would result. Further, at no point within the text does Chirashnya refer to the result number as a text string, but only as a number. The use of the letter “R” before the result numbers 1 and 2 in Table IV merely helps to distinguish the Result Number column from the “Message Number” and “Report FRU” columns. In addition, if a textual “R” were actually used as part of *every* Result Number, the “R” would not help distinguish one result number from another, thus making the use of a text string worthless in that situation. Moreover, the “Result” values above would not be merely integers, such as 1, 3, 5, and so on, but would also include a text-format value (such as ASCII) for the letter “R” (e.g., the hexadecimal number 52H). The only strings actually discussed in Chirashnya are those relating to the user messages apparently employed in the final Office action as the “human interpretable statement” of claim 1. (Page 3 of the final Office action, citing column 12, lines 5-20, of Chirashnya.) Thus, Chirashnya does not teach or suggest *text strings* being analyzed to provide a human interpretable statement, as provided for in claims 1 and 18.

Thus, in light of at least the foregoing reasons, the Assignee contends that claims 1 and 18 are allowable in view of Chirashnya, and such indication is respectfully requested.

Claims 2-7, 9-17, 19 and 20

Claims 2-7 and 9-17 depend from independent claim 1, and claims 19 and 20 depend from independent claim 18, thus incorporating the provisions of their independent claims. Thus, the Assignee asserts that claims 2-7, 9-17, 19 and 20 are allowable for at least the reasons presented above in support of claims 1 and 18, and such indication is respectfully requested.

Further regarding claim 13, which indicates that a step of controlling one or more steps of extracting, separating and transforming via one or more command line options comprises *updating the command line options automatically from the electronic architecture*, the final Office action states that such a provision is taught in Leong at column 13, line 65, to column 14, line 5. (Page 6 of the final Office action.) The Assignee respectfully disagrees. In the cited passage, Leong indicates that one embodiment therein “provides for the ability of the network administrator to create and automate execution of complex Telnet commands.” (Column 13, line 66, to column 14, line 1; emphasis supplied.) Thus, Leong indicates that the network administrator actually creates the commands which are later executed in some automatic fashion. Such capability does not teach or suggest *updating command line options* at all, much less updating these options automatically from the architecture. As a result, the Assignee contends that claim 13 is allowable for at least this additional reason, and such indication is respectfully requested.

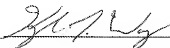
Conclusion

Therefore, based on the foregoing, the Assignee respectfully requests reversal of the 35 U.S.C. §§ 102 and 103 rejections of claims 1-7 and 9-20.

The Assignee hereby authorizes the Office to charge Deposit Account No. 08-2025 the appropriate fee under 37 C.F.R. § 41.20(b)(1) for the Notice of Appeal filed herewith. The Assignee believes no additional fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby authorized to charge Deposit Account No. 08-2025 accordingly.

Respectfully submitted,

Date: 4 / 12 / 07



SIGNATURE OF PRACTITIONER

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